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Sustainable development: Convention on Biological Diversity

Report of the Second Committee*

Rapporteur: Mr. Awsan **Al-Aud** (Yemen)

I. Introduction

1. The Second Committee held a substantive debate on agenda item 49 (see A/63/414, para. 2). Action on sub-item (f) was taken at the 24th and 31st meetings, on 4 November and 11 December 2008. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/63/SR.24 and 31).

II. Consideration of draft resolutions A/C.2/63/L.17 and A/C.2/63/L.61

2. At the 24th meeting, on 4 November, the representative of Antigua and Barbuda, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Convention on Biological Diversity" (A/C.2/63/L.17), which read:

> "*The General Assembly*,
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> "*Recalling* its resolutions 55/201 of 20 December 2000, 56/197 of 21 December 2001, 57/253 and 57/260 of 20 December 2002, 58/212 of 23 December 2003, 59/236 of 22 December 2004, 60/202 of 22 December 2005, 61/204 of 20 December 2006 and 62/194 of 19 December 2007,
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> "*Recalling also* its resolution 61/203 of 20 December 2006 on the International Year of Biodiversity, 2010,

* The report of the Committee on this item is being issued in eight parts, under the symbol A/63/414 and Add.1-7.

"*Reiterating* that the Convention on Biological Diversity is the key international instrument for the conservation and sustainable use of biological resources, and the fair and equitable sharing of benefits arising from the use of genetic resources,

"*Noting* that one hundred and ninety States and one regional economic integration organization have ratified the Convention and that one hundred and forty-nine States and one regional economic integration organization have ratified the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,

"*Recalling* the commitments of the World Summit on Sustainable Development to pursue a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity, which will require action at all levels, including the implementation of national biodiversity strategies and action plans and the provision of new and additional financial and technical resources to developing countries,

"*Concerned* by the continued loss of biological diversity, and acknowledging that an unprecedented effort is needed to achieve by 2010 a significant reduction in the rate of loss of biological diversity,

"*Noting* the need for enhanced cooperation among the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the United Nations Framework Convention on Climate Change (the 'Rio Conventions'), while respecting their individual mandates, concerned by the negative impacts that loss of biodiversity, desertification, land degradation and climate change have on each other, and recognizing the potential benefits of complementarities in addressing these problems in a mutually supportive manner with a view to achieving the objectives of the Convention on Biological Diversity,

"*Acknowledging* the contribution that the ongoing work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, of the World Intellectual Property Organization, can make in enhancing the effective implementation of the provisions of the Convention on Biological Diversity,

"*Noting* the contribution that South-South cooperation can make in the area of biological diversity,

"*Expressing* deep appreciation to the Government of Germany for hosting the ninth meeting of the Conference of the Parties and the fourth meeting of the Conference serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, and welcoming the offer of the Government of Japan to host in 2010 the tenth meeting of the Conference of the Parties and the fifth meeting of the Conference serving as the Meeting of the Parties to the Cartagena Protocol,

"*Taking note* of the reports of the Millennium Ecosystem Assessment,

"1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity on the work of the Conference of the Parties to the Convention;

"2. *Urges* developed countries parties to the Convention to contribute to the relevant trust funds of the Convention, in particular so as to enhance the full participation of the developing countries parties in all of its activities;

"3. *Urges* all Member States to fulfil their commitments to significantly reduce the rate of loss of biodiversity by 2010, and emphasizes that this will require an appropriate focus on the loss of biodiversity in their relevant policies and programmes and the continued provision of new and additional financial and technical resources to developing countries, including through the Global Environment Facility;

"4. *Takes note* of the outcomes of the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity and the fourth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety;

"5. *Urges* parties to the Convention on Biological Diversity to facilitate the transfer of technology for the effective implementation of the Convention in accordance with its provisions and, in this regard, takes note of the strategy for the practical implementation of the programme of work on technology transfer and scientific and technological cooperation developed by the Ad Hoc Technical Expert Group on Technology Transfer and Scientific and Technological Cooperation, as a preliminary basis for concrete activities by parties and international organizations;

"6. *Welcomes* the adoption by the Conference of the Parties at its ninth meeting of a strategy for resource mobilization in support of the achievement of the three objectives of the Convention, and invites Parties to the Convention to adopt measurable targets and indicators for the implementation of the strategy, addressing all relevant funding sources, according to national priorities and capacities and taking into account the special situation and needs of developing countries;

"7. *Welcomes* the decision by the Conference of the Parties at its ninth meeting to instruct the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to finalize the elaboration and negotiation of the international regime on access and benefit-sharing and to submit it for consideration and adoption by the Conference at its tenth meeting, in accordance with Conference decisions VII/19 D and VIII/4 A, and welcomes also the establishment of a road map for the negotiations contained in that decision;

"8. *Reaffirms* the commitment, subject to national legislation, to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity, promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from their utilization;

"9. *Invites* parties to the Convention, other Member States, relevant international organizations and other relevant stakeholders to make preparations to celebrate in 2010 the International Year of Biodiversity, welcomes decision IX/33 of the Conference of the Parties, and in that regard, inter alia:

"(a) Invites all Member States to observe the International Year of Biodiversity and establish, as soon as possible, national committees to that end;

"(b) Invites the Secretary-General to consider appointing before 2010 an honorary ambassador for the International Year of Biodiversity, who would have a mandate to call for practical actions and solutions towards meeting the objectives of the Convention on Biological Diversity;

"(c) Decides, as a contribution to the International Year of Biodiversity, to convene at its sixty-fifth session, in 2010, a one-day high-level meeting of the General Assembly, with participation of Heads of State, Governments and delegations;

"(d) Calls on United Nations departments, funds, programmes, specialized agencies and regional commissions to fully support and participate in the activities being envisaged for the observance of 2010 as the International Year of Biodiversity, under the auspices of the secretariat of the Convention on Biological Diversity;

"10. *Notes with appreciation* the ongoing efforts of the Executive Secretary of the secretariat of the Convention to promote South-South cooperation on biodiversity and development;

"11. *Welcomes* the adoption by the Conference of the Parties to the Convention of decision IX/25 on South-South cooperation for development which, inter alia, encourages developing country parties to engage in South-South cooperation on the issue of biodiversity, complemented and supported by North-South cooperation, and to incorporate biodiversity concerns in regional and subregional cooperation agreements and associated activities;

"12. *Takes note* of the development by the Executive Secretary of the secretariat of the Convention of the Gender Plan of Action;

"13. *Takes note* of the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities among the secretariats, while respecting their independent legal status;

14. *Invites* the countries that have not yet done so to ratify or to accede to the Convention;

15. *Invites* countries to consider ratifying or acceding to the International Treaty on Plant Genetic Resources for Food and Agriculture;

"16. *Invites* the parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol on Biosafety to consider doing so, reiterates the commitment of States parties to the Protocol to support its implementation, and stresses that this will require the full support of parties and of relevant international organizations, in particular with regard to the provision of assistance to developing countries in capacity-building for biosafety;

"17. *Invites* the secretariat of the Convention on Biological Diversity to report, through the Secretary-General, to the General Assembly at its sixty-fourth session on the work of the Conference of the Parties and to include in that report information on the preparations of the high-level meeting referred to above;

"18. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled 'Sustainable development', the sub-item entitled 'Convention on Biological Diversity'."

3. At its 31st meeting, on 11 December, the Committee had before it a draft resolution entitled "Convention on Biological Diversity" (A/C.2/63/L.61), submitted by the Vice-Chairman, Andrei Metelitsa (Belarus), on the basis of informal consultations held on draft resolution A/C.2/63/L.17.

4. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

5. At the same meeting, the Vice-Chairman (Belarus) made a statement after which the representative of Portugal orally corrected the draft resolution.

6. Also at its 31st meeting, the Committee adopted draft resolution A/C.2/63/L.61 (see para. 8).

7. In the light of the adoption of draft resolution A/C.2/63/L.61, draft resolution A/C.2/63/L.17 was withdrawn by its sponsors.

III. Recommendation of the Second Committee

8. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on Biological Diversity

The General Assembly,

Recalling its resolutions 55/201 of 20 December 2000, 61/204 of 20 December 2006 and 62/194 of 19 December 2007 and other previous resolutions relating to the Convention on Biological Diversity,

Recalling also its resolution 61/203 of 20 December 2006 on the International Year of Biodiversity, 2010,

Reiterating that the Convention on Biological Diversity[1] is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources,

Noting that one hundred and ninety States and one regional economic integration organization have ratified the Convention and that one hundred and forty-seven States and one regional economic integration organization have ratified the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,[2]

Recalling the commitments of the World Summit on Sustainable Development to pursue a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity, which will require action at all levels, including the implementation of national biodiversity strategies and action plans and the provision of new and additional financial and technical resources to developing countries,

Deeply concerned by the continued loss of biological diversity and the associated decline in the ecosystem services of our planet and their far-reaching environmental, social, economic and cultural impacts, and acknowledging that an unprecedented effort is needed to achieve by 2010 a significant reduction in the rate of loss of biological diversity,

Noting the need for enhanced cooperation among the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[3] and the United Nations Framework Convention on Climate Change[4] (the "Rio Conventions"), while respecting their individual mandates, concerned by the negative impacts that loss of biodiversity, desertification, land degradation and climate change have on each other, and recognizing the potential benefits of complementarities in addressing these problems in a mutually supportive manner with a view to achieving the objectives of the Convention on Biological Diversity,

[1] United Nations, *Treaty Series*, vol. 1760, No. 30619.
[2] Ibid., vol. 2226, No. 30619.
[3] Ibid., vol. 1954, No. 33480.
[4] Ibid., vol. 1771, No. 30822.

Acknowledging the contribution that the ongoing work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, of the World Intellectual Property Organization, can make in enhancing the effective implementation of the provisions of the Convention on Biological Diversity,

Noting the contribution that South-South cooperation can make in the area of biological diversity,

Expressing deep appreciation to the Government of Germany for hosting the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity and its fourth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, and welcoming the offer of the Government of Japan to hold the tenth meeting of the Conference of the Parties and its fifth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, in 2010,

Taking note of the reports of the Millennium Ecosystem Assessment,[5]

Noting the efforts of the Life Web initiative promoted by the Government of Germany and other countries,

Noting also the holding in Putrajaya, Malaysia, from 10 to 12 November 2008, of an ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem services, convened by the Executive Director of the United Nations Environment Programme,

Noting further the initiative launched at the meeting of the environmental ministers of the Group of Eight in Potsdam, Germany, in March 2007, to develop a study on the economic cost of the global loss of biodiversity,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity on the work of the Conference of the Parties to the Convention;[6]

2. *Encourages* developed countries parties to the Convention on Biological Diversity[1] to contribute to the relevant trust funds of the Convention, in particular so as to enhance the full participation of the developing countries parties in all of its activities;

3. *Urges* all Member States to fulfil their commitments to significantly reduce the rate of loss of biodiversity by 2010, and emphasizes that this will require an appropriate focus on the loss of biodiversity in their relevant policies and programmes and the continued provision of new and additional financial and technical resources to developing countries, including through the Global Environment Facility;

4. *Takes note* of the outcomes of the ninth meeting of the Conference of the Parties to the Convention[7] and its fourth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety;[8]

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[5] Available from http://millenniumassessment.org.

[6] A/63/294, annex III.

[7] UNEP/CBD/COP/9/29.

[8] UNEP/CBD/BS/COP-MOP/4/18.

5. *Urges* the parties to the Convention to facilitate the transfer of technology for the effective implementation of the Convention in accordance with its provisions, and in this regard takes note of the strategy for the practical implementation of the programme of work on technology transfer and scientific and technological cooperation developed by the Ad Hoc Technical Expert Group on Technology Transfer and Scientific and Technological Cooperation,[9] as a preliminary basis for concrete activities by parties and international organizations;

6. *Notes* the ongoing work of the Heads of Agencies Task Force on the 2010 Biodiversity Target, of the chairpersons of the scientific advisory bodies of the biodiversity-related conventions and of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change,[4] the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,[3] and the Convention on Biological Diversity, aimed at enhancing scientific and technical collaboration for achieving the 2010 biodiversity target;

7. *Notes also* the adoption by the Conference of the Parties to the Convention at its ninth meeting of a strategy for resource mobilization[10] in support of the achievement of the three objectives of the Convention and, in accordance with Conference of the Parties decision IX/11 and the annexes thereto,[11] invites parties to submit, to the secretariat of the Convention on Biological Diversity, views on concrete activities and initiatives, including measurable targets and/or indicators to achieve the strategic goals contained in the strategy, and on indicators to monitor its implementation;

8. *Takes note* of decision IX/12 of the Conference of the Parties to the Convention, on access and benefit-sharing, and the annexes thereto,[11] by which the Conference of the Parties established a road map for the negotiations contained in that decision and, inter alia:

(a) Reiterated its instruction to the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to complete the elaboration and negotiation of the international access and benefit-sharing regime at the earliest possible time before the tenth meeting of the Conference of the Parties to the Convention, in accordance with decisions VII/19 D and VIII/4 A; and

(b) Further instructed the Working Group to finalize the international regime and to submit for consideration and adoption by the Conference of the Parties to the Convention at its tenth meeting an instrument or instruments to effectively implement the provisions of articles 15 and 8 (j) of the Convention and its three objectives, without in any way prejudging or precluding any outcome regarding the nature of such instrument/instruments;

9. *Takes note also* of decision IX/20 of the Conference of the Parties to the Convention, on marine and coastal biodiversity, and the annexes thereto,[11] by which the Conference, inter alia, adopted a set of scientific criteria for identifying ecologically or biologically significant marine areas in need of protection, contained

[9] UNEP/CBD/AHTEG-TTSTC/1/5, annex III.
[10] UNEP/CBD/COP/9/29, annex I, decision IX/11 B, annex.
[11] See UNEP/CBD/COP/9/29, annex I.

in annex I to the decision, and scientific guidance for designing representative networks of marine protected areas, contained in annex II;

10. *Takes note further* of decision IX/5 of the Conference of the Parties to the Convention, on forest biodiversity;[11]

11. *Encourages* the efforts being made to implement the seven thematic programmes of work, as established by the Conference of the Parties to the Convention, as well as the ongoing work on cross-cutting issues;

12. *Reaffirms* the commitment, subject to national legislation, to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity, promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from their utilization;

13. *Takes note* of decision IX/33 of the Conference of the Parties to the Convention, and the annex thereto, and invites parties to the Convention, other Member States, relevant international organizations and other relevant stakeholders to make preparations to celebrate in 2010 the International Year of Biodiversity, and in that regard:

(a) Invites all Member States to create national committees, with participation of representatives of indigenous and local communities, to celebrate the International Year of Biodiversity and invites all international organizations to mark the event;

(b) Invites the Secretary-General to consider appointing before 2010, within existing resources, an honorary ambassador for the International Year of Biodiversity, who would have a mandate to call for practical actions and solutions towards meeting the objectives of the Convention on Biological Diversity;

(c) Decides, as a contribution to the International Year of Biodiversity, to convene at its sixty-fifth session, in 2010, a one-day high-level meeting of the General Assembly, with participation of heads of State, Governments and delegations, taking into consideration the schedule of meetings of the Convention on Biological Diversity;

(d) Encourages United Nations departments, funds and programmes, the specialized agencies and regional commissions to fully support and participate, as appropriate, in the activities being envisaged for the observance of 2010 as the International Year of Biodiversity, under the auspices of the secretariat of the Convention;

14. *Stresses* the importance of private-sector engagement for the implementation of the objectives of the Convention and the achievement of the 2010 target, and invites businesses to align their policies and practices more explicitly with the objectives of the Convention, including, inter alia, through partnerships;

15. *Notes* the adoption by the Conference of the Parties to the Convention of decision IX/25, on South-South cooperation for development, and the ongoing efforts of the Executive Secretary in that regard;

16. *Notes also* the development of the gender plan of action under the Convention on Biological Diversity and invites parties to support the implementation of the plan by the Convention secretariat;

17. *Takes note* of decision IX/16 of the Conference of the Parties to the Convention, on biodiversity and climate change, and the annexes thereto,[11] by which the Conference of the Parties, inter alia, established an Ad Hoc Technical Expert Group on Biodiversity and Climate Change with a mandate to develop scientific and technical advice on biodiversity in so far as it relates to climate change;

18. *Also takes note* of the ongoing work of the Joint Liaison Group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities among the secretariats, while respecting their independent legal status;

19. *Encourages* all parties to the Convention to contribute to the discussions leading to an updated strategic plan for the Convention to be adopted at the tenth meeting of the Conference of the Parties, having in mind that this strategic plan should cover all three objectives of the Convention;

20. *Invites* the countries that have not yet done so to ratify or to accede to the Convention;

21. *Invites* countries to consider ratifying or acceding to the International Treaty on Plant Genetic Resources for Food and Agriculture;[12]

22. *Invites* the parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol on Biosafety to consider doing so, reiterates the commitment of States parties to the Protocol to support its implementation, and stresses that this will require the full support of parties and of relevant international organizations, in particular with regard to the provision of assistance to developing countries in capacity-building for biosafety;

23. *Invites* the secretariat of the Convention on Biological Diversity to report, through the Secretary-General, to the General Assembly at its sixty-fourth session on the work of the Conference of the Parties and to include in the report information on the preparation of the high-level meeting of the General Assembly referred to above;

24. *Decides* to include in the provisional agenda of its sixty-fourth session, under the item entitled "Sustainable development", the sub-item entitled "Convention on Biological Diversity".

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[12] Food and Agriculture Organization of the United Nations, *Report of the Conference of FAO, Thirty-first Session, Rome, 2-13 November 2001* (C 2001/REP), appendix D.